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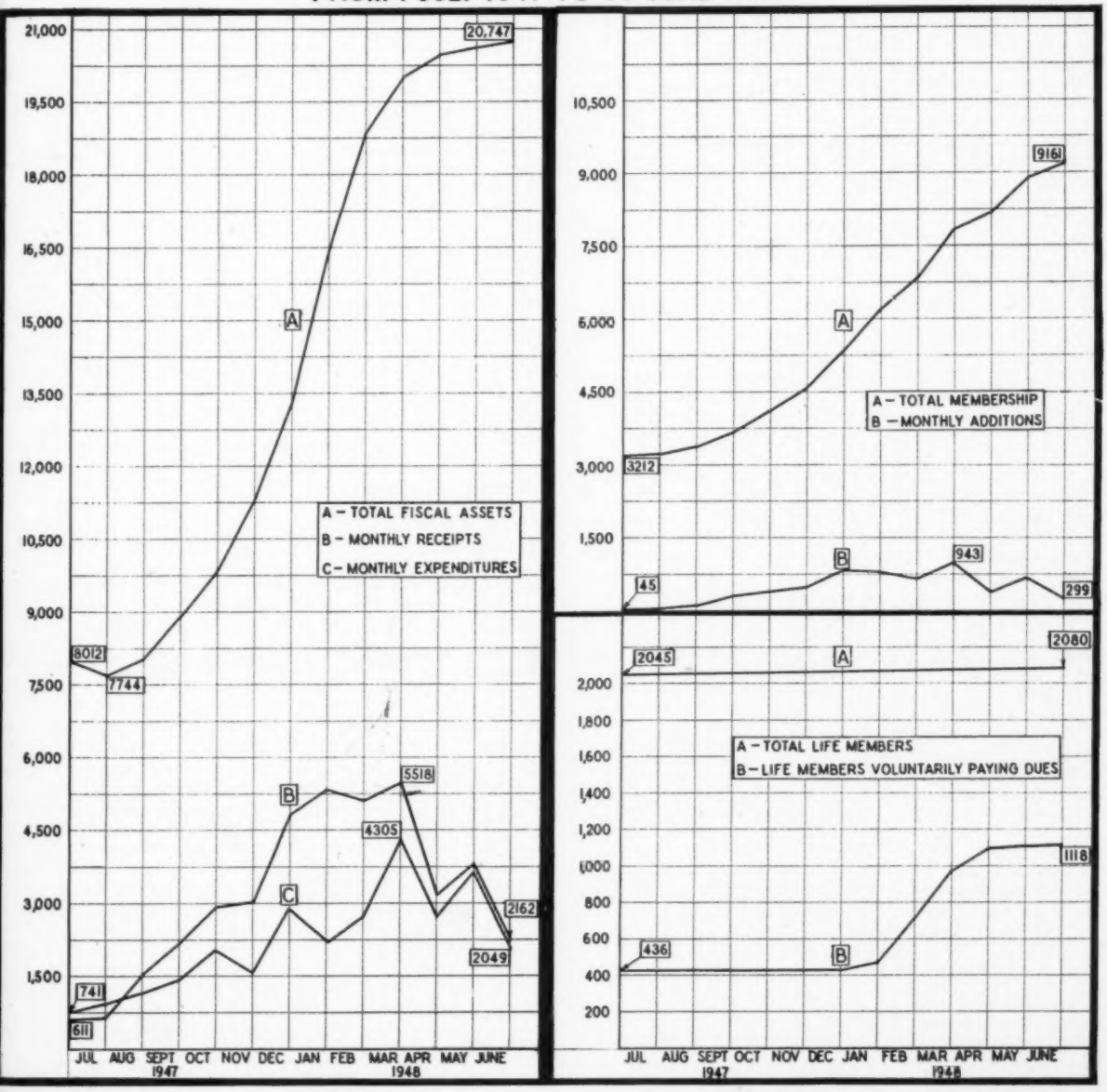

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SERVICE PAY REVISION NECESSARY

GENERAL PAY SITUATION—Since 1908 living costs have increased more than 250%. During the same period, the base pay * of officers of the uniformed services, active and retired, has been increased by only an average of about 30%, graduated from about 10% in the higher ranks to about 50% in the lower ranks. Meanwhile, civilian governmental personnel, save officers of the President's Cabinet (raised 25% since 1908), have enjoyed pay increases from about 100% to more than 300%.

The present situation with respect to the pay of military services is one closely linked with and vital to a strong national defense. This is true because adequate pay constitutes a major factor for good morale. Inadequacy of present service pay is causing many well qualified young men to resign their commissions and is, no doubt, deterring others, basically qualified, from entering upon military careers.

RISE IN COST OF LIVING SINCE 1908—Retail prices of goods and services (including food; rent; clothing; fuel, electricity and ice; household furnishings; and miscellaneous items) purchased by modest income families in 24 cities of the United States on the basis of an assumed normal standard of 100% between 1935 and 1939 have risen from 70.7% in 1913 to an average of 139.3% in 1946 and to an average of 168.6% for the first five months in 1948—so says the Consumer's Price Index compiled in the Bureau of Labor Statistics. For example, the price of food alone rose from an index of 79.9% in 1913 to an average of 159.6% in 1946 and an average of 207.1% in 1948; rent (still under federal price control) from 92.2% in 1913 to an average of 108.6% in 1946 to an average of 116.2% in 1948; and clothing from 69.3% in 1913 to an average of 160.1% in 1946 and an average of 195.5% in 1948. In other words, the cost-of-living today is more than 250% above what it was between 1908 and 1913.

SERVICE PAY BACKGROUND SINCE 1908—Pay of officers of the Army, Navy and associated uniformed services was readjusted in 1908 to improve the economic situation of the services, due to some increase in living costs since the former pay laws (1899). These former laws appear to have established appropriate pay scales in relation to the type of services rendered and the then prevailing cost-of-living. As indicated in the statistics given in the preceding paragraph, however, those pay scales are no longer adequate to meet present day money values.

The earlier pay scales under the 1908 Pay Act were based primarily upon rank or grade, with some consideration for length of service.

The next major adjustment in pay of the uniformed services was in 1922 (Joint Service Pay Act of June 10, 1922), applicable to the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey and Public Health Service. This Act, unlike the former laws, did not compensate personnel primarily based upon rank and responsibility, but rather placed great emphasis upon length of service, so that in many instances officers junior in rank of longer service received greater pay than senior officers under whom they served.

One of the requirements which influenced the enactment of the 1922 law was that the total cost of service pay, after enactment, should be less than the total then being appropriated for that purpose; i.e.—total cost under the 1908 law plus certain bonuses provided for in 1920.

The Pay Act of 1922, as amended, has not proven adequate to offer attractive careers to young men of sufficiently high caliber, intelligence and ability in proper numbers to maintain an effective national defense and without whom that defense will surely deteriorate. Over the years, military personnel paid under it have accepted the situation, being governed by the high tradition of their training—the obligation of every individual to sacrifice himself whenever the common good so demands.

The Act of 1922 was revised by the enactment of the Pay Readjustment Act of 1942 and its subsequent amendments, particularly those of 1944 and 1946. This legislation was, in effect, a substantial reenactment of the 1922 Act. The 1942 law provided for some increases in pay for the ranks of captain in the Army and below and the corresponding ranks in the other services. It introduced some other needed changes, but in no way altered the basic concepts of the 1922 Act, under the standards of which the services are paid today.

The Act of June 29, 1946 (Public Law 474—79th Congress) provided certain modest increases in service pay which ranged from a mere 10% in the higher ranks to 15% in the middle ranks and 20% in the lower ranks. These increases, coupled with the other minor increases formerly provided in 1942 for the lower ranks, increased the pay of officer personnel of the uniformed services by an average of only about 30% over the 1908 pay scales, ranging from about 10% in the higher ranks to about 50% in the lower ranks, as above noted. Thus, while living costs skyrocketed—as indicated by the indices compiled by the Consumer's Price Index of the Bureau of Labor Statistics—to more than 250% of the levels which existed in 1908, the pay of the uniformed services, active and retired, has increased only an average of about 30%.

SERVICE PAY INCREASES COMPARED TO INCREASES OF CIVILIAN GOVERNMENT OFFICIALS—Whereas the pay of officers of the uniformed services lagged far behind the rising costs-of-living by a ratio of 1 to 8 since 1908,

* Reference to the pay of officers of the uniformed services in this article is related to base pay plus longevity increases and does not include rental and subsistence allowances. These allowances, established by the Joint Service Pay Act of June 10, 1922; were increased an average of about 25% in 1942 above the levels established in 1922 (rental was increased about 33.3% and subsistence about 12.5%); are tax free and constitute a modest increase in the total compensation of officers while on active duty. This additional compensation may be considered in some measure compensatory to the financial burden incident to the nature of military service, including: extra expense due to transportation involved in frequent changes of station and loss and damage to personal property occasioned thereby; frequent necessity for the maintenance of separate establishments for officers and their families; extra costs in refurnishing many living quarters; cost of uniforms, insignia and civilian clothing; and inability to acquire one's own home and higher rentals resulting from frequent changes in abode. Balanced against this are some additional advantages and privileges incident to military service, some of which may be considered more illusionary than real.

except for the pay of Cabinet officers which suffered a comparable lag, the pay of other civilian officials, to which they pay of military officers can best be compared, has increased from about 100% to more than 300% over the pay scales which existed in 1908. Specifically, the pay of the Foreign Service has increased about 300%; that of Postal employees more than 200%; that of the Judiciary about 125%; while the pay of members of Congress has doubled.

RECENT GOVERNMENT PAY TRENDS—In his budget message to the 80th Congress in January 1948, the President stated that he was not recommending "at this time" cost-of-living increases in pay for military and civilian Government employees, nor cost-of-living increases in benefits for veterans, social insurance beneficiaries, retired Federal employees and other similar groups, though recognizing that spiralling living costs were placing a serious burden upon these groups.

In expressing his interpretation of the President's statement above, Secretary of Defense Forrestal at that time declared he did not believe it was the President's intention to exclude action on military pay if it could be demonstrated as necessary, fair and just.

In signing the Act for pay increases of Civil Service employees on 3 July 1948, the President among other things stated that, "Since the Congress failed to take action to hold down the cost-of-living, it is only fair that Federal employees should be given pay increases to offset in some degree the constantly rising cost-of-living".

The President further stated that the Act grants a flat increase to the employees covered by the Classification Act; that differences between the upper and lower pay grades have been further decreased by this Act; and that the effect of this has been to reduce seriously the opportunity for salary advancement which should go for increased responsibility.

In this connection, the President further commented as follows: "I want these employees to know, therefore, that in the interest of correcting this intolerable situation and strengthening and improving the career service, I shall urge that the Congress pass legislation which will set Federal pay scales at the proper levels for all employees, including members of the Cabinet and the heads of the independent agencies, as well as persons who are occupying key positions in the professional, scientific and technical fields, and modernize and simplify the Classification Act of 1923, and once again provide a proper relationship between jobs".

On the same subject, in his message to the Special Session of the 80th Congress on 27 July 1948, the President said: "In the final days before adjourning in June, the Congress passed a bill raising the salaries of some Federal employees. However, this bill neglected long over-due reforms in Federal pay scales and discriminated unfairly against certain groups of employees. The Congress should take this opportunity to enact more equitable and realistic Federal pay legislation".

The above declarations of the President are most heartening—not only to the civilian employees to whom they directly refer—but to all military personnel as well, for it must be assumed that the same principles are applicable to them and for the same reasons.

The whole matter of pay of the uniformed services has been under study in the Department of Defense for over a year, including the thorough and comprehensive study that was completed by the Joint Service Pay Committee, headed by Vice Admiral William M. Fechteler, Deputy Chief of Naval Operations for Personnel, on which we have reported to our membership in previous editions of the Bulletin.

The report of Admiral Fechteler's Committee was placed by Secretary Forrestal before the Civilian Advisory Commission on Armed Services Pay, which he appointed, to study the entire pay structure and report to him its findings and recommendations. This Commission expects to have the results of its study ready for submission to the Secretary sometime around the latter part of August. Thereupon, it has been announced, a recommendation for service pay revision will be prepared by the Department of Defense for submission to the 81st Congress when it convenes in January 1949.

It has for many years been apparent to all familiar with the situation that the pay of the military services has required revision. Indeed, many believe the Act of 1922 itself was wrong in concept and in the standards it provided. Many studies have been made within the departments; editorials have been written in service and other papers; and, from time to time, suggestions have come from within the Congress itself that military pay be revised in the public interest to insure a more effective and adequate national defense. Despite this, except for the grossly inadequate increases which have recently been made, nothing tangible has been accomplished toward the enactment of new basic service pay legislation.

In view of the active work which is being done to achieve the needed changes and, in view of the assurances which have been made that appropriate recommendations will be submitted to the 81st Congress by the Department of Defense, it is confidently expected that the outmoded and outworn service pay fabric will at long last be modernized to bring it in accord with our modern demands for an efficient military establishment—composed of the highest types of personnel necessary for its maintenance and not merely of adequate numbers of less competent personnel which might be attracted under the present situation.

PARTICIPATING RETIREMENT PLAN WITH SURVIVORSHIP BENEFITS

In our 4th Quarter Bulletin 1947, and again in the 1st and 2nd Quarter Bulletins 1948, we have reported upon the studies currently in process of consideration by the Department of Defense, dealing with a participating retirement plan with survivorship benefits. Our membership is fully aware of the Association's earnest and consistent recommendations that widows and minor children of retired military personnel be included within the framework of any such survivorship plan which may be adopted, regardless of the date of retirement of the individual upon whose service they would be based.

Such benefits have heretofore been extended to the surviving spouse and minor children of those who receive annuities under the Social Security system. Similar benefits have likewise been extended to the survivors of Foreign Service personnel under the Foreign Service Act of 1946, approved 13 November 1946, (P.L. 724—79th Congress). More recently, the Langer-Chavez-Stevenson Act of 28 February 1948, (P.L. 426—80th Congress), provides survivorship annuities for the surviving spouse and minor children of classified Civil Service employees of the Government. Thus, the need for survivor benefits for the widows and minor children of deceased industrial and governmental employees has been recognized, and benefits have been established for these three large groups.

A large group for which no provision has been made is that comprising the widows and minor children of those who have served in our Armed Forces. There is no information now available as to whether the recommendations of the Civilian Advisory Commission on Armed Services Pay will suggest the establishment of any such plan for them. It may be that those recommendations will be confined solely to the present acute need for increased pay, leaving to some future time the solution to the problem of survivorship benefits. Whatever the recommendations may be, in view of the tendency to make provision for those whose means of livelihood cease with the death of those upon whom they rely, it is not unreasonable to expect that appropriate provision will, ultimately, be made for them.

LEGISLATIVE REPORT

ARMY AND AIR FORCE VITALIZATION AND RETIREMENT EQUALIZATION ACT OF 1948 (PUBLIC LAW 810—80th CONGRESS)—Referred to as H.R. 2744 in previous editions of the Bulletin, was approved 29 June 1948.

The salient portions of this Act are as follows:

TITLE I—Of direct interest to some of our members is the provision in Sec. 107 of the Act for a review of cases of those who have been retired under Public Law 190. This provision requires the appointment of boards by the Departments of the Army and Air Force for that purpose. We are informed by the Department of Defense that the cases of those officers who were retired under Public Law 190 proceedings will be taken up for consideration promptly and each officer will be notified when he may appear before a board and that he may be represented by counsel. It is pointed out that officers need not submit requests for review of their cases, since the cases of all such officers are to be reviewed automatically. Where it has been found that removal from the active list has not been justified, restoration as provided in the Act will be effected.

TITLE II—All retired officers who served on active duty with the Army or Air Force during World War II are interested in this title, for it provides that each such officer who served satisfactorily for 6 months or more, in a rank higher than the rank in which now retired, as determined by the respective Secretary in each case, will be advanced on the retired list to such higher rank, with his retired pay computed on that basis.

We are informed by the Department of Defense that individual requests or inquiries concerning consideration of such advancements are unnecessary. Such advancements, as are contemplated by this title, will be made as rapidly as the tremendous workload involved permits. The officers concerned will be duly notified and their retired pay will be appropriately adjusted.

TITLE III—This title is of general interest to all retired officers since, for the first time, it confers retirement benefits upon officer and enlisted personnel of the Reserve components of the Armed Forces upon attaining the age of 60 years and who fulfill the prescribed requirements of service.

Some officers of the Reserve components of the military services, who have attained the age of 60 years or over, have performed sufficient service on active and inactive duty to entitle them, at this time, to the retirement benefits of this new law. Those who have completed the required service should, in accordance with Sec. 302(a) of the Act, submit appropriate applications to have the retirement benefits extended to them. All officers in this category are eligible for membership in this Association and we extend to them a most hearty and codial invitation to join.

CREDIT FOR SERVICE OF FORMER MEMBERS OF THE LIGHTHOUSE SERVICE (PUBLIC LAW 761—80th CONGRESS)—This measure, referred to as H.R. 239 in the previous edition of the Bulletin, was approved 24 June 1948.

It is learned from Coast Guard Headquarters, which is charged with implementation of this Act, that prompt and automatic determination will be made as to whom these benefits apply. No action on the part of individuals is required, as a checking of the records is already in progress. New statements of service will be issued at the earliest practicable date to assist disbursing officers in computing longevity for the purpose of pay in the Coast Guard of those affected by its provisions.

INCREASE IN RATES OF SERVICE-CONNECTED DEATH COMPENSATION PAYABLE TO WIDOWS, CHILDREN AND DEPENDENT PARENTS (PUBLIC LAW 868—80th CONGRESS)—This Act increased rates of service-connected death compensation in certain cases. The present situation with reference to death compensation, as increased by the new law, and to non-service-connected death pensions, based upon service in World War I and World War II, for widows, children and dependent parents is as follows:

DEATH COMPENSATION FOR WAR AND PEACETIME SERVICE:

Compensation may be payable to the dependents of a veteran whose death, either in service or after discharge or retirement, is due to service rendered during any war. The rates payable for periods on and after September 1, 1948 are as follows: widow, but no child, $75; widow with one child, $100, with $15 for each additional child; no widow but one child, $58; no widow but two children $82 (equally divided); no widow but three children, $106 (equally divided), with $20 for each additional child, total amount to be equally divided; dependent mother or father, $60, or both, $35 each.

Under the laws relating to peacetime service, compensation may be payable to the dependents of a veteran whose death, either in service or after discharge or retirement, is due to such service. If the veteran's death resulted from a disease or injury received (1) as a direct result of armed conflict, or (2) while engaged in extra hazardous service, including such service under conditions simulating war, the wartime service-connected rates of compensation outlined in paragraph one may be payable. If neither of these conditions is met, the rates payable for periods on and after September 1, 1948 are as follows: widow, but no child, $60; widow with one child, $80, with $12 for each additional child; no widow but one child, $46.40; no widow but two children, $65.60 (equally divided); no widow but three children, $84.80 (equqally divided, with $16 for each additional child, total amount to be equally divided; dependent mother or father, $48, or both, $28 each.

Death Pension—World War I and World War II

Pension may be payable to the widow or children of a veteran of World War I or World War II who was discharged or released from service under conditions other than dishonorable and whose death was not connected with his service. In a World War I case, the veteran must (1) have rendered 90 days or more service, or have been discharged from service for a disability incurred in service, or (2) have been receiving or entitled to receive, at the date of his death, compensation or retirement pay for service-connected disability. In a World War II case, unless the requirements of (2) are met, it must be shown that the veteran had, at the date of his death, a service-connected disability for which compensation would be payable if 10% or more in degree. Pension may not be paid in such cases to a widow without a child or to a child whose annual income exceeds $1000, or to a widow with a child or children whose annual income exceeds $2500. The rates payable for periods on and after September 1, 1946 are as follows: widow, but no child, $42; widow with one child, $54, with $6 for each additional child; no widow but one child, $21.60; no widow but two children, $32.40 (equally divided); no widow but three children, $43.20 (equally divided), with $4.80 for each additional child, total amount to be equally divided.

BILLS PASSED BY ONE HOUSE WHICH MAY BE ENACTED DURING THE SPECIAL SESSION—80TH CONGRESS

CREDIT FOR SERVICE AS CADET, MIDSHIPMAN AND AVIATION CADET (S. 657)—As was reported in the preceding issue of the Bulletin, this bill is now pending on the House Consent Calendar, having been unanimously reported favorably by the House Committee on Armed Services on 11 May 1948. On 17 June, during the closing days of the 2nd Session, Representative Halleck, Majority Leader, informed the House of the importance of this measure, despite which it was not brought up for passage at that time. It is understood that this is one of the most important measures which the Department of Defense will urge for passage by the Special Session which convened 26 July. The Association's brief on this measure is printed elsewhere in this Bulletin. (*See page 6*)

TO PERMIT RETIRED PERSONNEL OF THE RESERVE COMPONENTS TO WAIVE RETIREMENT COMPENSATION WHILE ON ACTIVE DUTY IN ORDER TO AUTHORIZE RECEIPT OF ACTIVE DUTY PAY AND EMOLUMENTS WHILE ON ACTIVE DUTY (S. 2670)—This bill was passed by the Senate on 10 June 1948, and its enactment is desired by the military services. Its purpose is as indicated and its enactment will remove the effect of a recent decision of the Comptroller General.

PREVENTING RETROACTIVE CHECKAGE OF ERRONEOUS PAYMENTS (S. 2810)—This bill was passed by the Senate on 18 June 1948. Its purpose is to remove the effect of a decision of the Comptroller General, who has ruled that no one who was on the honorary retired list was covered by Public Law 305. The effect of this decision was to remove certain officers from the retired rolls and make them liable to the repayment of the amounts they had received. This measure, if enacted, will restore them to the retired rolls and

prevent their having to repay the money which they have previously been paid. This measure was introduced at the request of the Navy Department to remove an obvious inequity.

REVENUE REVISION ACT OF 1948 (H.R. 6712)—This measure was passed by the House on 19 June 1948 and contains two sections of particular interest to military personnel. Sec. 107 proposes to continue the exclusion from gross income of so much of the compensation for active service as a commissioned officer (or commissioned warrant officer) of the military or naval forces as does not exceed $1500, and excludes in full the compensation received by those below those ranks. These exclusions will terminate after 31 December 1948, unless some appropriate law is passed. The report on this section (H. Rep. 2087—80th Congress) in paragraph 13 states: **"This action will give the armed services additional time to complete their study relating to pay scales of the armed forces".**

Sec. 106 deals with the amount of exclusion from gross income of the compensation of those retired for physical disability. The substance of this section is fully explained in the report (H. Rep. 2087—80th Congress), which is quoted as follows:

"Existing law excludes from gross income amounts received as pensions, annuities, or similar allowances for disability resulting from active service in the armed forces. This exclusion extends not only to veterans' pensions, but also to the pay of Regular Army and Navy officers whose retirement is by reason of physical disability. Cases have come to the attention of your committee in which retired officers receiving the benefit of this exclusion are earning large incomes in private industry. This is possible because the test used to determine physical disability, for the purpose of the exclusion is fitness for military service and not the ability of the individual to compete successfully in civilian employment.

"In order to restrict this exclusion to cases of real need, your committee's bill (sec. 106) reduces the allowable exclusion by the amount of any earned income received in the same taxable year, subject to the limitation that the amount of income excluded shall never be reduced below $1200 a year. Earned income under this provision is governed by the definition in Sec. 116 (a) (3) of the Internal Revenue Code.

"This section amends both Sec. 22 (b) (5) of the Internal Revenue Code and Sec. 3 of the Act of August 12, 1935, entitled 'An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay and insurance, and for other purposes'."

REQUIREMENTS FOR APPOINTMENTS TO SERVICE ACADEMIES

In response to several inquiries from members relative to requirements for appointments to the service academies, and of possible interest to many others, the following general information is furnished for the guidance of sons and relatives who aspire to military careers.

Retired officers can render a great and continuing service to the nation by encouraging young men of character, mental capacity and physical stamina to seek admission to a service academy of their choice, for the purpose of following a career of service as an officer in the Armed Forces.

UNITED STATES MILITARY ACADEMY AT WEST POINT, NEW YORK: Since 4 July 1802, when ten cadets answered the call to undertake the highly specialized military training offered by the Military Academy, that institution has been providing an ever increasing number of graduates, filling in on the Army and Air Force lists. It now has an authorized strength of 2496 cadets.

Graduates of the Military Academy are appointed 2nd Lieutenants in the Army or Air Force, and receive the degree of Bachelor of Science. Its curriculum includes mathematics, English, modern languages, physics and chemistry, mechanics, social sciences, law and electricity (including electronics and communications). Also included in the program of instruction are: military topography and graphics, tactics, physical education, military art and engineering, ordnance, military leadership and psychology.

The present authorized strength provides more opportunities for appointment then ever before. Appointments are made upon nomination by various appointing authorities to whom quotas are assigned by law. These include the Regular Army and Air Force; National Guard; honor military schools of the essentially military type; sons of deceased veterans who died of service connected disabilities; sons of winners of the Congressional Medal of Honor; sons of enlisted men and officers of the Regular Army and Air Force, Navy and Marine Corps who are on active duty, retired, or died serving therein; and states, territories and congressional districts. Approximately 85% of the cadetships to the Military Academy are filled through nominations by Members of Congress, applications for which must be submitted directly to the members concerned. Applications for appointment through the Army, Air Force, or National Guard should be submitted to the individual's organization commander. All other applications should be addressed to the Adjutant General, Department of the Army, Washington 25, D. C. Catalogs of information and lists of congressional vacancies are available upon application to the Adjutant General.

Physical and scholastic standards at the Military Academy are high, but within the capabilities of an average student who is well grounded in high school algebra, geometry, English and history, and who has the inclination and the character to apply himself assiduously in his own and his country's interest.

UNITED STATES NAVAL ACADEMY AT ANNAPOLIS, MARYLAND. Unmarried young men of American citizenship, between the ages of 17 and 21 years (except that any candidate who has served honorably for not less than one year in any of the Armed Services of the United States during the recent wars and prior to formal declaration of peace may be admitted up to 23 years of age), who are of good moral character, a graduate from a fully accredited secondary school, and meet the prescribed physical requirements, are eligible for appointment as midshipmen to the Naval Academy.

Appointments are made from among the following sources upon fulfillment of the admission requirements: (1) by the President of the United States of sons of officers and enlisted men of the regular Army, Navy and Marine Corps; (2) by the Vice President of the United States, each United States Senator, and each Representative and Delegate in Congress; (3) enlisted men of the regular and Reserve components of the Navy and Marine Corps; (4) sons of deceased officers, soldiers, sailors and marines of the two World Wars, including male and female members of the Army, Navy, Marine Corps and Coast Guard, who were killed in action or have died of wounds, injuries received or disease contracted or aggravated during active service in World Wars I or II; (5) honor graduates of secondary military and naval schools designated as Honor Schools by the Army and Navy Departments, and members of the Naval Reserve Officer Training Corps at the 52 colleges and universities having NROTC units; (6) sons of residents of the District of Columbia, Canal Zone and Puerto Rico; and (7) sons of anyone who has received the Congressional Medal of Honor.

It is suggested that young men interested in seeking appointments as midshipmen to the Naval Academy, communicate with their Senator or Congressman, or write for full particulars to the Chief of Naval Personnel, Navy Department, Washington 25, D. C.

Entrance examinations are held in April of each year. It is advisable, though not mandatory, to make application for appointment at least a year in advance.

UNITED STATES COAST GUARD ACADEMY, NEW LONDON, CONNECTICUT. This is the only one of the three Service academies to which appointment is based solely on competitive examination.

This examination is open to qualified young men, military or civilian, between the ages of 17 to 22. Educational requirements are graduation from an accredited preparatory school or public high school, the course pursued comprising a minimum of 15 units of credit earned by June 1949, including 3

(Continued on Page 10)

ASSOCIATION'S STATEMENT TO CREDIT SERVICE AS A CADET, MIDSHIPMAN OR AVIATION CADET FOR PAY AND RETIREMENT PURPOSES PRESENTED TO THE SENATE AND HOUSE COMMITTEES ON ARMED SERVICES DURING HEARINGS ON S. 657, 80TH CONGRESS

I

I am Captain F. O. Willenbucher, U. S. Navy, Retired. I am Executive Vice-President and Legal Counsel of the Retired Officers Association, composed of retired commissioned officers, warrant officers and nurses, regular and reserve, of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast & Geodetic Survey and Public Health Service. I appear on behalf of those of our members, retired officers, who are not now authorized by law to credit for the service they performed as cadets in the Army or Coast Guard or as midshipmen in the Navy or as aviation cadets in the Army, Navy and Marine Corps for pay, longevity and retirement purposes. Our Association welcomes this opportunity and I wish at the outset Mr. Chairman, to thank you for having permitted us to appear.

Services performed as cadets or as midshipmen at the service academies may not now be counted, either for pay and longevity or for retirement purposes, by those who served in those capacities, subsequent to the effectiveness of the Army Appropriation Act of August 24, 1912 and the Naval Appropriations Act of May 4, 1913—although all such service is full-time active military service.

Whether services performed as aviation cadets may now be counted differs as between the Army, Navy and Marine Corps. Aviation cadets in the Army are, and have been, enlisted men in the regular Army. While serving as aviation cadets, they are prohibited by law from increase in pay for longevity, although they perform full-time active duty in hazardous flight training. Army officers, regular or reserve, who have performed duty as Army aviation cadets, may count such service for pay and longevity purposes, but not for retirement purposes under present law. Aviation cadets in the Navy and Marine Corps have been of two classifications, (1) appointed aviation cadets (a former classification since abolished) who were neither officers nor enlisted men and (2) enlisted aviation cadets. Former appointed aviation cadets could not count their service for longevity purposes while they served in that capacity and enlisted aviation cadets may not now count their service for longevity purposes while serving in such capacity, although their service is and has been full-time active duty in hazardous flight ttraining. Officers who have performed service as aviation cadets in the Navy or Marine Corps may count such service for longevity pay purposes in certain cases, but in other cases they may not. A reserve officer who served on active duty before he became an officer, either in the capacity of an appointed or as an enlisted aviation cadet, may count such aviation cadet service for longevity pay purposes. A regular officer, however, may count service performed as an enlisted aviation cadet in the Navy or Marine Corps for longevity pay purposes but he may count services performed as an appointed aviation cadet, only if he became an officer under the provisions of the Naval Aviation Personnel Act of 1940—but he may not count such service if he became a regular commissioned officer under any other law. Neither regular nor reserve officers may count service performed as aviation cadets in the Navy or Marine Corps for retirement purposes.

In presenting these views, and in urging the enactment of appropriate remedial legislation, the Retired Officers Association wishes to bring to the attention of the Congress that:

(a) Service as a cadet, midshipman, or aviation cadet is full-time active military service and those who render such service to the Government are now, and always have been, recognized by legislation and by administrative and judicial determination as constituent parts of the military services.

(b) Those who served or were serving as cadets or midshipmen prior to 1913 are now entitled to credit such service for pay, longevity and retirement purposes under existing law. The Army Appropriation Act of August 24, 1912 (37 Stat. at L. 594) and the Naval Appropriation Act of March 4, 1913 (37 Stat. at L. 891) disallowed credit for service as a cadet and midshipman to those whose service as such commenced subsequent to 1912. This action of Congress, in the light of present day concepts and the subsequent action by Congress in crediting service for pay, longevity and retirement purposes to others, has resulted in a discrimination against those who may not now credit their service as a cadet, midshipman or aviation cadet.

(c) That, on the basis of comparison with other full-time active military service and, even more important, in comparison with inactive service in the reserve components of the armed services, credit for which Congress has seen fit to extend by law, Congress should now authorize credit for service as a cadet, midshipman and aviation cadet, for pay, longevity and retirement purposes.

II

SERVICE AS A CADET, MIDSHIPMAN, OR AVIATION CADET IS FULL-TIME ACTIVE MILITARY SERVICE AND THOSE WHO RENDERED SUCH SERVICE TO THE GOVERNMENT ARE NOW, AND ALWAYS HAVE BEEN, RECOGNIZED BY LEGISLATION, AND ADMINISTRATIVE AND JUDICIAL DETERMINATION AS CONSTITUENT PARTS OF THE MILITARY SERVICES.

(A) CADET SERVICE IN THE ARMY.

Cadets who serve at the United States Military Academy are in the Regular Army of the United States. Title 10 U.S.C. section 4 declares, "The Regular Army of the United States shall consist of the Infantry, the Cavalry x x x; the General Staff; x x x cadets of the United States Military Academy x x x and such other officers and enlisted men as are now or, may hereafter be provided for." Cadets are appointed by the President (10 U.S.C. 1091) and, upon appointment, each is issued a cadet warrant and takes an oath to support the Constitution of the United States and to obey the legal orders of his superior officers and the rules and articles governing the Armies of the United States (10 U.S.C. 1099). They engage to serve for eight years unless sooner discharged (10 U.S.C. 1101) and are subject at all times to do duty in such places and on such service as the President may direct (10 U.S.C. 1102). Cadets constitute a part of the land forces of the United States and as such are subject to the rules and articles of War (10 U.S.C 1091; 5 Op. Atty. Gen. 323). They are organized into companies, each of which is commanded by an officer of the Army (10 U.S.C. 1105); their pay and allowances are fixed by statute (37 U.S.C. Supp. V. 117) and paid from an appropriation under the Military Establishment (Military Appropriation Act, 1947—Public Law 515, approved July 16, 1946). They are amenable to military discipline as provided in the Articles of War and are specifically included among those persons "subject to military law" in 10 U.S.C. 1473. Cadets are listed in the Army Regulations as a grade of rank in the Army of the United States between "warrant officers (junior grade) or flight officer" and "aviation cadet" (AR 600-15.). Service as a cadet on or after December 7, 1941 and before the termination of hostilities incident to World War II, is considered active military service in World War II for the purposes of laws administered by the Veterans' Administration (38 U.S.C. Supp. V. 730). Those who served as cadets during the periods of World War I and World War II were awarded such decorations and service medals as their service merited as members of the Regular Army. During both World War I and World War II many cadets were graduated earlier than they would otherwise have been graduated in order to make them available for combat duty. During World War II many of the cadets served at places away from West Point on Army Stations, on Army maneuvers, and in aviation training at Army Air Force Training Command Bases. Thus it is clear that cadets are in all respects both by legislation and in practice a constituent part of the Regular Army.

An examination of the earlier legislation of Congress shows that the cadets of the Army have at all times been a part of the Army and that service as a cadet has always been actual service in the Army.

Cadets are first mentioned in the Act of May 9, 1794, 1 Stat. at L. 366 which, among other things, provided for 32 cadets "ranking as sergeants, but spoken of as officers". They were part of the Army. By section 6 of the Act of July 16, 1798, 1 Stat. at L. 605, cadets were called non-commissioned officers in the Army, and their pay was fixed at $10 per month plus two rations per day.

By the Act of March 16, 1802, entitled "An Act Fixing the Military Peace Establishment of the United States", 2 Stat. at L. 132, it was provided (Sec. 1) that the military peace establishment of the United States should embrace a regiment of artillerists, of which a part should be forty cadets. Their pay and rations were fixed by sections 4 and 5. By section 26 a corps of engineers, consisting of officers and ten cadets, was authorized; and by section 27, the corps was stationed at West Point, New York, to constitute a military academy. The officers and cadets were to be subject, at all times, to do duty in such places and on such service as the President should direct. Clearly all of these cadets were a part of the Army and throughout the military history of the United States the status of cadets has not changed. They were so recognized by the Act of April 12, 1808, 2 Stat. at L. 481 in sec. 5 of which they were declared, with the then existing cadets, to be subject to the rules and articles of war.

The Act of April 29, 1812, 2 Stat. at L. 720, fixed the number of cadets at not to exceed 250, authorized the President to attach them to the Military Academy, and declared "That they shall be arranged in companies of non-commissioned officers and privates, according to the directions of the Commandant of Engineers and be officered from the said Corps, for the purpose of military instruction; x x x and that the said Corps shall be trained and taught all the duties of a private, non-commissioned officer, and officer; be encamped at least three months of each year, and taught all the duties incident to a regular camp; and that the candidates for cadets be not under the age of fourteen nor above the age of twenty-one years, that each cadet x x x shall sign articles x x x by which he shall engage to serve for five years unless sooner discharged; and all such cadets shall receive pay and emoluments now allowed by law, to cadets in the Corps of Engineers". This was the original organization of the United States Military Academy substantially as it has continued.

By the Act of March 3, 1815, 3 Stat. at L., 224, cadets were again recognized by law as "subject to the rules and articles of war". By section 28 of the Act of July 5, 1838, 5 Stat. at L., 260, it was enacted that "The term for which cadets, hereafter admitted into the Military Academy at West Point, shall engage to serve, be and the same is hereby increased to eight years, unless sooner discharged".

By section 1 of the Act of July 28, 1866, 14 Stat. at L., 232, the corps of cadets was declared to be a constituent part of the Army of the United States. This enactment remained in force, was reproduced in section 1094 of the Revised Statutes, and is now contained in title 10, United States Code, section 4 which states that "the Regular Army of the United States shall consist of", with other constituents, "cadets of the United States Military Academy".

This status of cadets, as a constituent part of the egular Army of the United States, has been recognized both by administrative and judicial determination.

In the case of the United States v. Morton (112 U.S. 1, 28 L. ed 613, 5 Sup. St. Rep. 1), decided October 27, 1884, it was held that the time of service of a cadet in the Military Academy at West Point from July 1, 1865 to June 15, 1869 was to be regarded as actual time of service in the Army within the meaning of the Acts of February 24, 1861 and June 30, 1882, 21 Stat. at L. 346, 22 Stat. at L. 118, in computing his increase of pay for each term of five years of service under section 1262 of the Revised Statutes.

Charles Morton had been appointed a conditional cadet in the service of the United States on March 6, 1865. He was so admitted on July 1, 1865 and received his warrant stating that he had been appointed by the President a cadet in the United States Military Academy to rank from July 1, 1865. On that date he entered into an agreement, as required by law, that "Having been selected for an appointment as a cadet in the Military Academy of the United States" he engaged that he should serve in the Army of the United States for eight years unless sooner discharged. He took the oath provided by the Act of July 2, 1862, 12 Stat. at L. 502, which required of every person "Elected or appointed to any office of honor or profit under the Government of the United States x x x before entering upon the duties of such office x x x that I will well and faithfully discharge the duties on which I am about to enter."

On June 15, 1869 he was duly graduated and commissioned a second lieutenant. He served continuously in the service of the United States in a military capacity from July 1, 1865 to March 31, 1883 when he had

achived the rank of first lieutenant. In computing his service pay he was not allowed credit for the time he was a cadet at West Point as a part of his time of service in the Army. He brought suit in the Court of Claims against the United States for back pay on this basis, withheld from him between February 24, 1881 and March 31, 1883 on these facts and the judgment in his favor was sustained by the Supreme Court.

The sole basis of his claim rested upon the contention that section 1262 of the Revised Statutes which provided that "There shall be allowed and paid to each **commissioned officer** below the rank of brigadier general x x x ten per centum of their current pay **for each term of five years service**" (emphasis supplied) applied to his service as a cadet at the Military Academy at West Point. This had been denied him by the accounting officers who contended that only his service as a commissioned officer should be credited. The only question presented was whether service as a cadet was to be regarded as actual time of service in the Army.

After reviewing all of the existing statutes involved, the Supreme Court held that the corps of cadets of the Military Academy was a part of the Army of the United States, and a person serving as a cadet was serving in the Army and, that "the time during which plaintiff x x x was serving as a cadet, was, therefore, actual time of service by him in the Army."

In reaching this conclusion, the Supreme Court said, inter alia:

"But an examination of the legislation of Congress shows that the cadets at West Point were always a part of the Army and that service as a cadet was always actual service in the Army."

* * * * * * * * *

"From this review of the statutes, it cannot be doubted that, before the passage of the Act of July 28, 1866, as well as afterwards, the corps of cadets of the Military Academy was a part of the Army of the United States and a person serving as a cadet was serving in the Army; and, that the time during which the plaintiff in the present case was serving as a cadet, was, therefore, actual time of service by him in the Army."

In the case of the United States v. Watson (130 U.S. 80, 32 L. ed. 852, 9 Sup. Ct. Rep. 430), decided March 11, 1889, it was likewise decided that the time of the service as a cadet in the Military Academy at West Point is to be regarded as a part of the time he served in the Army, within the meaning of the Act of July 5, 1838, and should be counted in computing his longevity pay under that Act.

Watson entered the United States Military Academy as a cadet, July 1, 1856; was appointed a second lieutenant of cavalry, May 6, 1861; first lieutenant of artillery, May 14, 1861; captain, March 9, 1866; retired from active service for loss of his right leg from wound received in line of duty, September 18, 1868. In computing his service for longevity pay he claimed to be entitled to count his time as a cadet under the Acts of July 5, 1838, 5 Stat. at L. 256; March 2, 1867, sec. 9, 14 Stat. at L. 423; July 15, 1870, R.S. 1262.

The ground upon which this claim rested was, that the time of the service of claimant as a cadet in the Military Academy at West Point was to be regarded as a part of the time he served in the Army within the meaning of the Act of July 5, 1838, and should be counted in computing his longevity pay under that Act.

The provisions of the Acts of Congress, relied upon as the foundation of Watson's claim, were as follows:

Sec. 15, Act of July 5, 1838: "Every commissioned officer of the line or staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States: **Provided,** That is certain cases where officers are entitled to and receive double rations, the additional one allowed in this section shall not be included in the number to be doubled."

Sec. 9, Act of March 2, 1867: "That section 15 of the 'Act to increase the present military establishment of the United States, and for other purposes,' approved July 5, 1838, be amended so that general officers shall not hereafter be excluded from receiving the additional ration for every five years' service; and it is hereby further provided that officers on the retired list of the Army shall have the same allowance of additional rations for every five years' service as officers in active service."

Act of July 15, 1870, now sec. 1262, Rev. Stat.: "There shall be allowed and paid to each commissioned officer below the rank of brigadier general, including chaplains and others having assimilated rank or pay, ten per centum of their current yearly pay **for each term of five years of service.**" (Emphasis supplied).

Said the Supreme Court: "That cadets at West Point were always part of the Army, and that service as a cadet was always actual service in the Army has been settled by the decision of this court in the case of United States v. Morton, 112 U.S. 1 (28:613) in which a question almost identical with the one now before us was presented for consideration. In that case, Morton, the claimant, had entered the United States Military Academy at West Point as a cadet, July 1, 1865, had graduated therefrom June 15, 1869, and had served in the Army as a commissioned officer from that date until March 31, 1883. In computing his service pay the accounting officers did not allow him credit for the time he had been a cadet at West Point as a part of his time of service in the Army and he accordingly brought suit in the Court of Claims x x x. These Acts, among other things, provided for 'additional pay to officers for length of service, to be paid with their current monthly pay, and the actual time of service in the Army or Navy, or both, shall be allowed all officers in computing their pay.' The Court of Claims rendered judgement in favor of the claimant, which, on an appeal prosecuted on behalf of the United States, was approved by this Court."

After quoting from the decision in the Morton case, the Court said:

"More direct and emphatic language could not be used to support the contention of the claimant in this case. The words "actual time of service in the Army", as used in the Act of February 24, 1881, are not more expressive of cadet service at West Point, than are the words 'for every five years he may have served or shall serve in the Army of the United States' as used in the Act of July 5, 1838. They both mean the same kind of service; and we are of the opinion that such service should be reckoned in computing longevity pay prior, as well as subsequent, to the Act of February 24, 1881."

On May 8, 1889 Comptroller General Butler rendered an opinion that General Ulysses S. Grant was entitled to credit for longevity for his service as a cadet at the Military Academy under the Act of March 2, 1867 which fixed the salaries of officers and substituted percentage increased for each period of five years' service (in lieu of rations allowed under former laws) and under the Act of June 18, 1878 (20 Stat. at L. 150 sec. 7) which provided that all officers who had served in the war between the states or as enlisted men should be credited with full time in computing service for longevity pay. This action reversed a former opinion of Comptroller General Bowman in 1838 which denied the crediting of rations for service as a cadet under section 15 of the Act of July 5, 1838 (1 Stat. at L. 258).

Again on May 18, 1908 the Assistant Comptroller of the Treasury reaffirmed the Butler decision that service as a cadet should be credited for pay and logevity purposes under the then existing law thereby likewise reversing a decision of Comptroller General Gilkenson that such service could not be credited under the Act of July 5, 1838.

It is thus clear that cadets are now, and always have been, a constituent part of the Regular Army.

(B) SERVICE AS A MIDSHIPMAN IN THE NAVY

Midshipmen are in the naval service (34 U.S.C. 1031). They are appointed by the President, and, upon appointment, each is issued a warrant which makes him a "Midshipman in the Navy". As such, each takes oath to support and defend the Constitution of the United Statets and faithfully to discharge the duties of a midshipman in the Navy. They are subject, at all times, to perform duty wherever they may be ordered and frequently and customarily serve at sea. During World War I midshipmen were serving in the U. S. S. San Diego when she was sunk by a mine during that war. Again during World War II midshipmen served in naval ships of the Atlantic Fleet. Midshipmen are fully amenable to military discipline, are subject to the Articles for the Government of the Navy and may be tried by general courts-martial (34 U.S.C. 1061). They are eligible for decorations and awards and those who served in World War I were awarded the Victory Medal with the Atlantic Clasp. Those who served in World War II were awarded the Victory Medal for World War II. During both World War I and World War II, midshipmen were graduated after only three years at the Naval Academy, one year sooner than they would otherwise have been, to provide commissioned officers for combat duty.

That midshipmen have always been recognized as a constituent part of the Regular Navy both by administrative and judicial determination is clear. A few examples will suffice.

In 25 Opinions of the Attorney General 579 it was stated that: "It is not to be doubted that midshipman is an officer, and this has been authoritatively decided respecting under graduates at the Naval Academy under laws for the benefit of 'officers of the Navy' ".

In the case of the United States v. Baker (125 U.S. 645, 31 L. ed. 824), decided April 16, 1888, it was held that a midshipman at the Naval Academy was serving as an officer in the Navy, within the meaning of the Act of 1883, chapter 97, 22 Stat. at L. 473.

Baker was appointed a midshipman in the Navy on September 30, 1867 by an appointment which stated that he was "appointed in the grade of midshipman in the United States Navy". By the Act of July 15, 1870 it was provided that "the students in the Naval Academy shall hereafter be styled midshipmen."

The single question involved was whether Baker, while a midshipman, was serving as an officer or enlisted man in the Navy, within the meaning of the Act of 1883.

In affirming the judgment of the Court of Claims that he was serving as an officer, the Supreme Court said: "It is impossible not to conclude that the claimant continued to be, after the passage of the Act of 1870, as he was prior to its passage, an officer of the Navy, on the active list, and serving as such an officer by virtue of his having been appointed a midshipman and continuing to be a student at the Naval Academy, even though he might have been properly styled, after the passage of the Act of 1870, a cadet midshipman."

In the case of the United States v. Cook (128 U.S. 254, 28 L. ed. 464), decided November 19, 1888, it was held that a cadet midshipman at the Naval Academy, appointed June 6, 1873, who graduatted at the Naval Academy June 18, 1879, and was appointed Ensign November 15, 1881, was entitled to additional pay under the Act of March 3, 1883, Chap. 97, 22 Stat. at L. 473 and that a midshipman was considered an officer.

This was an appeal from a judgement rendered by the Court of Claims against the United States in favor of Cook for the sum of $1000. Cook was appointed a cadet midshipman in the Navy, June 6, 1873, graduated at the Naval Academy June 18, 1879, and was appointetd Ensign November 15, 1881. He claimed additional pay under the Act of March 3, 1883 which read as follows:

"And **all officers of the Navy shall be credited with the actual time served as officers or enlisted men** in the regular or volunteer Army or Navy, or both, and shall receive all the benefits of such actual service, in all respects, in the same manner as if all said service had been continuous, and in the regular Navy, in the lowest grade having graduated pay held by such officer since last entering the service." (Emphasis supplied).

In deciding that the claimant was entitled to credit his services as a cadet midshipman, the Court said:

"That a midshipman is an officer has been understood ever since there was a Navy x x x x x. His name indicated a middle position between that of a superior officer and that of a x x x x x seaman x x x x x. The first Act of Congress under the Constitution establishing a Navy, after naming the superior officers to be employed on each ship, designates the following 'warrant officers' to be appointed by the President, namely: One sailing master, one boatswain, one gunner, one sailmaker, one carpenter, and eight midshipmen' and these are placed before 'petty officers' mentioned in the same connection (Act of March 27, 1794, 1 Stat. at L. 350). If the law designates a cadet as a midshipman, the designation is an official one. The qualification of a cadet midshipman is used for the sake of distinction, to distinguish one kind of midshipman from another, a midshipman at school from a midshipman aboard ship."

In the opinion of the Comptroller General No. A-11546 of December 15, 1925 it was stated that: "Claimant was thus discharged from the Naval Service July 30, 1919 (as an enlisted Marine). **His entry into the Naval Academy the next day as a midshipman was a continuation in the naval service but in a different capacity.** United States v. Baker, 125 U.S. 646; United States v. Cook 128 U.S. 254, 26 Comp, Dec. 26; 419. (Emphasis supplied).

In the opinion of the Comptroller General No. B-61946 of December 2, 1946 it was stated that: "**It is well settled that a midshipman at the Naval Academy is a member of the Navy** and, subject to the conditions of the Act of March 4, 1913, and decisions which have contrued that act, **service as a midshipman at the Academy is 'active service in the Navy'** ". (Emphasis supplied).

The Act of Congress, approved July 13, 1943 (Public Law 144—78th Congress) provided in part as follows:

"Sec. 10. Service as a cadet at the United States Military Academy or as a midshipman at the United States Naval Academy or as a cadet at the United States Coast Guard Academy on or after December 7, 1941, and before termination of hostilities incident to the present War as determined by proclamation of the President or by concurrent resolution of the Congress shall be considered active military or naval service in World War II for the purposes of laws administered by the Veterans' Administration."

Navy Department File No. 5252-137:4, June 6, 1921 which is still fully effective states that:

"An individual appointed to the Naval Academy pursuant to law is on active duty at the Academy as a midshipman and not as a commissioned officer or an enlisted man detailed to some specific duty in connection with the administration of the Academy. While the courts have pointed out certain distinctions between enlisted men, midshipman, and commissioned officers, all decisions are to the effect that **they are all members of the naval service and therefore midshipmen while actually in attendance at the Academy are on active duty in the same degree as enlisted men or commissioned officers detailed** to the Academy for the performance of specific duty." (Emphasis supplied).

It is thus clear that midshipmen are now, and always have been, a constituent part of the Navy.

(C) CADET SERVICE IN THE COAST GUARD

Coast Guard cadets are in the regular Coast Guard. Title 14 U.S.C. Sec. 5 states that: "In the Coast Guard, there shall be a commandant, captains, commanders, x x x cadets, x x x, warrant officers, petty officers and other enlisted men, x x x. Title 14 U.S.C. sec. 1 states that: "The Coast Guard which shall be a military service and constitute a branch of the land and naval forces of the United States at all times shall operate x x x as a part of the Navy, in time of War or when thhe President shall direct." Coast Guard cadets are appointed by the Secretary of the Treasury and, upon appointment, are issued cadet warrants which make them part of the Coast Guard. As such, each takes an oath to support and defend the Constitution of the United States and faithfully to discharge the duties of a cadet. Coast Guard cadets are required to obligate themselves to serve in the Coast Guard as officers for three years, after graduation (14 U.S.C. 15). They are subject at all times to do duty wherever they may be ordered, serve at sea, are amenable to military discipline and are eligible, for their service as cadets, to decorations and awards. Coast Guard cadets were awarded the Victory Medal for their service in World War I. Others received the Victory Medal for their service in World War II.

During World War I, Coast Guard cadets manned the Coast Guard Cutter ONANDAGA on operational as well as training assignments. In April or May, 1918, Coast Guard cadets of the first class under the command of then Captain F. C. Billard, escorted a convoy of Canadian built trawlers from a St. Lawrence port to Boston, an operational assignment in the War area infested with enemy submarines. There probably were other such operational assignments during World War I in which Coast Guard cadets participated.

In World War II Coast Guard cadets served on active duty at sea in Coast Guard ships. Coast Guard cadets were serving in Coast Guard Cutter COBB in 1944 in the Atlantic and the Gulf of Mexico. These waters were frequented by German submarines. On September 4, 1944, the COBB contacted a submarine and dropped seven depth charges. Later reports confirm a submarine in that area.

Coast Guard cadets, like cadets at the Military Academy and midshipmen at the Naval Academy, were graduated earlier than the prescribed course of instruction at the Coast Guard Academy both during World War I and World War II in order to provide commissioned officers for combat duty.

It is clear that, like cadets at the Military Academy and midshipmen at the Naval Academy, Coast Guard cadets are a constituent part of the armed forces of the United States.

(D) SERVICE AS AN AVIATION CADET

1. ARMY

Army aviation cadets are enlisted in the Air Corps of the Regular Army. Title 10, U.S.C. section 297a states that "The grade of aviation cadet is hereby created as a special and separate enlisted grade in thhe Air Corps, Regular Army x x x". They serve on active duty in training (10 U.S.C. 296a). Upon enlistment each aviation cadet must agree to accept a commission as second lieutenant, Air Corps Reserve upon the completion of his training and instruction and that he will serve as such for a continuous period of three years (10 U.S.C. 299). While serving as aviation cadets they are not now entitled to longevity pay (10 U.S.C. 304). They are, like other enlisted men of the Army, subject to do duty wherever they may be sent, are fully amenable to military discipline, and are eligible for decorations and medals.

2. NAVY

Naval aviation cadets are members of the Naval Reserve and the Marine Corps Reserve. Title 34 U.S.C. section 850a states that "There shall be in the Naval Reserve and Marine Corps Reserve the special enlisted grade of aviation cadet." They perform active duty in the Navy, not to exceed four years (34 U.S.C. 850b). While so serving they are not now entitled to additional pay for longevity (34 U.S.C. 850 c). They are at all times subject to do duty wherever they may be ordered, are fully amenable to naval discipline, and are eligible for decoration and awards.

It is thus clear that service as an aviation cadet, both in the Army and in the Navy, is full-time active duty as an enlisted man, and that their status as a constituent part of the military services in which they perform duty is no different than that of other enlisted men who are in a full-time active duty status.

III

THOSE WHO SERVED OR WERE SERVING AS CADETS OR MIDSHIPMEN PRIOR TO 1913, ARE NOW ENTITLED TO CREDIT THE TIME OF SUCH SERVICE FOR PAY, LONGEVITY AND RETIREMENT PURPOSES UNDER EXISTING LAW. THE ARMY APPROPRIATION ACT OF AUGUST 24, 1912 (37 Stat. at L. 594) AND THE NAVAL APPROPRIATION ACT OF MARCH 4, 1913 (Stat. at L. 891) DISALLOWED CREDIT FOR SERVICE AS A CADET AND MIDSHIPMAN TO THOSE WHOSE SERVICE AS SUCH COMMENCED SUBSEQUENT TO 1912. THIS ACTION OF CONGRESS, IN THE LIGHT OF PRESENT DAY CONCEPTS AND THE SUBSEQUENT ACTION BY CONGRESS IN CREDITING SERVICE FOR PAY LONGEVITY AND RETIREMENT PURPOSES TO OTHERS, HAS RESULTED IN A DISCRIMINATION AGAINST THOSE WHO MAY NOT NOW CREDIT THEIR SERVICE AS A CADET, MIDSHIPMAN OR AVIATION CADET.

Section 6 of the Army Appropriation Act of August 24, 1912 (37 Stat. at L. 594) provides:

"That hereafter the service as a cadet who may hereafter be appointed to the United States Military Academy, or to the Naval Academy, shall not be counted in computing for any purpose the length of service of any officer in the Army."

The Naval Appropriation Act of March 4, 1913 (37 Stat. at L. 891) provides:

"Hereafter the service of a midshipman at the United States Naval Academy, or that of a cadet at the United States Military Academy, who may hereafter be appointed to the United States Naval Academy, or the United States Military Academy, shall not be counted in computing for any purpose the length of service of any officer in the Navy or the Marine Corps."

Paragraph 504 of the Coast Guard Regulations of 1916 provided:

"In computing longevity pay all service in the Coast Guard, Revenue-Cutter Service, Life Saving Service, Army, Navy and Marine Corps shall be included except service as a cadet or cadet engineer subsequent to August 24, 1912".

Thus by the Acts of Congress, just quoted, service as a cadet in the Army or Coast Guard and service as a midshipman in the Navy has been denied to those who have so served, if their service as such commenced subsequent to the classes which entered the academies during 1912. It has been shown, under section II of this statement, that under former laws as administratively and judicially construed by the Supreme Court, such service was credited for pay longevity and retirement purposes.

The practical effect of these laws was to take away the right to count the service from those to whom such rights had therefore accrued. Congress was dealing with a matter of policy and not with vested rights. It was quite within its competence to establish the new policy for the future. A study of the legislative history of these laws and subsequent acts of Congress which deal with the crediting of service, active and inactive, for pay, longevity and retirement purposes discloses that, however compelling the reasons which persuaded the adoption of that policy may then have been, neither the reasons nor present day concepts support its maintenance.

1. One of the principal reasons which influenced Congress to take away the right to count the service was the prevalence of numerous private claims brought about by conflicting decisions of the Comptroller General which had proved to be a burden to Congress. These claims related to service performed prior to the turn of the Century. If any such claims have not long since been settled, the claimants are now dead and the crediting of the service at this time would not, in any case, revive them.

2. A second reason, vigorously advanced at that time, and heard in some quarters now, was that the education at the academies is at the expense of the Government and hence is free to the individual. It is true that those who serve as cadets and midshipmen do not pay for the education they receive. It is, however, by no means free. They, like the commissioned officers, warrant officers, and enlisted men, devote all of their efforts and all of their time to the profession of arms. They are at all times subject to the most rigorous discipline and training known to the military profession in the U. S. They are without freedom to choose what they are to study, but instend must diligently apply themselves to courses of training prescribed by the Government for the benefit of the Government to equip them for the emergency of War. It could well be argued that, far from equipping them to meet the demands of commercial enterprise, the education they receive would be of little benefit to them other than to be applied in their subsequent military service. Commissioned officers, warrant officers, cadets, midshipmen and enlisted men are all constantly in training throughout their military careers. It is only when war comes that what they have learned is put to use in the defense of the country. Enlisted men are trained at training centers and in trade schools, maintained by the Government. Commissioned officers and warrant officers are educated in schools and colleges maintained by the Government and in private universities and colleges at the expense of the Government. They are paid while they experience this training and their service is counted while they are thus being educated for the benefit of the Government. A typical example might be considered.

X———enlisted in the Navy in April 1920; attended Seaman Signalman's School 1920; attended Naval Academy Preparatory Class 1921; served as a midshipman 1921 to 1925; served as an officer at sea until 1930; attended Naval Post Graduate School, U. S. Naval Academy, Annapolis, Maryland in 1930 and 1931 as an officer; and attended Carnegie Institute of Technology in 1931 and 1932 as an officer at the expense of the Government. His service as an enlisted man in training and as an officer, including the time in attendance at the Post Graduate School and Carnegie Institute of Technology is all counted, but his service as a midshipman, fully as meritorious and necessary to his military development, is now not counted. Why? All of his education was put in his way without payment in money by him, but is far from free for there are things more valuable than money which one can give. In this case it is service to his country, than which nothing is of greater value, especially at this time.

Most cadets and midshipmen enter the academies for the sole purpose of becoming officers in the military services and with the intention of devoting their lives to their chosen profession. When they do so they sacrifice all opportunity of following other vocations unless they later resign or are discharged from the service. As time progresses and as they advance into the higher grades their opportunity of meeting competition in commercial enterprise becomes less and less due to the long devotion of their attention to military matters. It is the exceptional person who can survive in commercial enterprise after long military service. Consequently, when one becomes a cadet or midshipman he sacrifices his opportunity of devoting himself to some other vocation and to plan his education so as to equip himself properly for his chosen field. In the concept of the economist, he pays the opportunity costs which inevitably result from choice.

3. A third reason which appears to have influenced Congress in disallowing credit for service as a cadet or midshipman was the thought that the crediting of such service resulted in an undue advantage to those who have rendered it, as compared to those who are commissioned as officers directly from civil life without previous military experience.

While it is true that those who may credit such service do enjoy certain advantages in pay and retirement privileges; it will be shown in the next section of this statement that similar advantages have been allowed by Congress to those who have rendered certain other types of military service, active and inactive. As far as earlier retirement is concerned, it should be noted that this applies only to the privilege of voluntary retirement, the granting of which, except for voluntary retirement after forty

(40) years of service, is entirely discretionary. Under normal circumstances the privilege of voluntary retirement is seldom resorted to by those who have rendered less than thirty (30) years of service and, as far as enforced retirement is concerned, all officers are subject to the same requirements.

IV

THAT, ON THE BASIS OF COMPARISON WITH OTHER FULL-TIME ACTIVE MILITARY SERVICE AND, EVEN MORE IMPORTANT, IN COMPARISON WITH INACTIVE SERVICE IN THE RESERVE COMPONENTS OF THE ARMED SERVICES, CREDIT FOR WHICH CONGRESS HAS SEEN FIT TO EXTEND BY LAW, CONGRESS SHOULD NOW AUTHORIZE CREDIT AS A CADET, MIDSHIPMAN AND AVIATION CADET FOR PAY LONGEVITY AND RETIREMENT PURPOSES.

Under present law military service of every kind on active duty in the regular services and the reserve components, **except service as a cadet, midshipman or aviation cadet,** is credited for pay purposes and, under certain circumstances, for retirement purposes. In additional service in the reserve componets, **while on inactive duty,** is credited for pay purposes and under certain circumstances for retirement purposes as well.

Under Section 3A of the Pay Readjustment Act of 1942, in addition to the time otherwise required to be credited with full time for pay purposes; those paid under the Act are credited with full time for pay purposes for all periods during which they were enlisted or held commissions as officers or held appointments as warrant officers or Army field clerks or as commissioned warrant officers in the following:

(1) Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey and Public Health Service.
(2) Regular Army Reserve.
(3) Medical Reserve Corps of the Navy.
(4) Dental Reserve Corps of the Navy.
(5) Organized Militia prior to July 1, 1916.
(6) National Guard.
(7) National Guard Reserve.
(8) National Guard of the United States.
(9) Enlisted Reserve Corps.
(10) Naval Militia.
(11) National Naval Volunteers.
(12) Naval Reserve Force.
(13) Naval Reserve.
(14) Marine Corps Reserve Force.
(15) Marine Corps Reserve.
(16) Coast Guard Resserve.
(17) Reserve Corps of the Public Health Service.
(18) Philippine Scouts.
(19) Philippine Constabulary.
(20) Coast and Geodetic Survey as authorized by secttion 2(b) of the Act of January 19, 1942 (56 Stat. 6).

Of these twenty classifications, the first and the last three listed are services on a full-time active duty basis. The first includes all active duty in the regular services, Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, **except service as a cadet, midshipman and aviation cadet.** The last three include service in the Philippine Scouts, Philippine Constabulary and the Coast and Geodetic Survey as it existed under the Act of January 19, 1942 (56 Stat. 6). It appears that, from the standpoint of its value to the Government, the active military service of cadets, midshipmen and aviation cadets should be counted in the same manner as the active military service of commissioned officers, warrant officers, Army field clerks, commissioned warrant officers and enlisted men. All involve full-time active duty in the military establishments of the United States.

The remaining sixteen services for which credit is given by section 3A of the Pay Readjustment Act of 1942 include reserve, National Guard, and other comparable classifications of services. Most of these services entail comparatively little actual active duty, except in time of war. Nevertheless these services are accorded full credit for pay purposes. Contrast this with the fact that, although they entail service on a full time basis under the regular military establishments of the Federal Government, no credit is extended to service as a cadet, midshipman or aviation cadet.

Under the provisions of section 7 (a) of the Act of February 2, 1946 (Public Law 305—79th Congress) a reserve officer who is retired under Section 6 of the Act receives retired pay at 2½ per centum of his active duty pay, **not only for the active duty performed but also for reserve inactive service up to ten years, so as not to exceed thirty years total service, or 75 per centum of his active duty pay.** Under these provisions a reserve officer with only twenty years of active service and with ten additional years of **reserve inactive service** is retired with 75 per centum of his active duty pay. Many regular officers with upward of twenty-eight years of active commissioned service, plus three or four years of active service as a cadet or midshipman, including active service in both World Wars, do not receive 75 per centum of their pay.

Section 5 of the Act of December 28, 1945 (Public Law 281—79th Congress) authorizes the crediting of constructive service equal to the number of days, months and years by which the age of a reserve officer to be commissioned in the Regular Army exceeds twenty-five. This same principle is being extended to the commissioning of officers into the Regular Navy. Thus constructive service is credited where no service has in fact been performed. whereas active service as a cadet, midshipman or aviation cadet is not credited.

V

THE RETIRED OFFICERS ASSOCIATION RECOMMENDS THE ENACTMENT OF APPROPRIATE LEGISLATION TO AUTHORIZE CREDIT FOR SERVICE AS A CADET, MIDSHIPMAN, OR AVIATION CADET FOR PAY, LONGEVITY AND RETIREMENT PURPOSES.

Under present laws the following types of services are credited as indicated; whereas service as a cadet, midshipman, or aviation cadet, although such service is on a full-time basis, is not counted:

(1) All active service, regular and reserve, except service as a cadet, midshipman, or aviation cadet, is now credited for pay purposes and, under certain circumstances, for retirement purposes.

(2) Sixteen classifications of military service, other than service on active duty, is now credited for pay purposes under the provisions of section 3A of the Pay Readjustment Act of 1942.

(3) Reserve service, when coupled with sufficient active service, is now credited for retirement purposes.

(4) Constructive service is allowed to reserve officers who are commissioned in the regular services.

In order to remove the present manifest discriminations, to improve the morale of those who render and have rendered service as cadets, midshipmen, and aviation cadets, to make more attractive the military services to the young men of the high type necessary for the maintenance of their efficiency and, in view of the present-day concepts with regard to the acceptable standards for the crediting of military service for pay, longevity and retirement purposes, the Retired Officers Association strongly recommends that Congress enact appropriate legislation to credit such service.

RECENT APPOINTMENTS TO THE BOARD OF DIRECTORS

We take great pleasure in announcing the below mentioned appointments, by unanimous acclamation to our Board of Directors:

General Carl Spaatz, U.S. Air Force, Retired—following graduation from the Military Academy in 1914, he was detailed a student in aviation in 1915, and thereafter became active in that field. He served in Mexico under General Pershing in 1916 and in France, during World War I, shot down three German Fokker planes.

Serving in various command and administrative assignments during the years between World War I and World War II, General Spaatz finally became Chief of the Air Staff, AAF.

During World War II, General Spaatz served with great distinction in the European-North Africa and Mediterranean theatres.

After the war in Europe had been won, General Spaatz assumed command of the U.S. Strategic Air Forces in the Pacific, supervising the final strategic bombing of Japan.

Upon the retirement of General Arnold in 1946, General Spaatz was nominated as Commander of the Army Air Forces.

In September 1947 he was appointed by the President as the first Chief of Staff of the new U.S. Air Force, which office he held at the time of his retirement in June of this year. **Lieutenant Colonel John H. Coffman, U.S. Marine Corps, Retired**—after completing his basic education at the Columbia Military Academy in Tennessee, he entered the University of Oklahoma, graduating with a B.S. degree in Civil Engineering. He then attended George Washington University Law School from which he received the Degree of Juris Doctor.

After serving (1919-1926) with the Oklahoma National Guard, he finally attained the rank of captain. During that same period he also attended ROTC, and was commissioned a 2nd Lieutenant in the Marine Corps in 1926.

Colonel Coffman's service includes many assignments, ashore and afloat, both within and beyond the continental limits. He served with the 2nd Marine Division during the siege of Guadalcanal. Upon voluntary retirement in November 1946, he established a law office in Washington.

PREAMBLE TO THE BY-LAWS OF THE ASSOCIATION

To inculcate and stimulate love of our Country and the flag; and to defend the honor, integrity and supremacy of our National Government and the Constitution of the United States;

To foster fraternal relations between all branches of the various services from which our members are drawn;

To aid the retired personnel of the various services from which our members are drawn in every proper and legitimate manner; and

To present their rights and interests when service matters are under consideration, we unite to form the RETIRED OFFICERS ASSOCIATION.

units of English, 2 of Algebra, 1 unit each of Plane Geometry and Physics.

To qualify physically, a candidate must be in perfect health, between 66 and 76 inches in height, with weight in proportion, must have 20/20 uncorrected vision in each eye and must have a minimum of 20 vital serviceable natural teeth.

Upon completion of the 4-year course, a cadet is eligible for commission as ensign in the Coast Guard and a Bachelor of Science Degree in Engineering.

The next examination will be held 23-24 February 1948, but applications to compete therein must be on file in advance of those dates. For detailed information—apply Commandant, U.S. Coast Guard (PTP), Washington 25, D. C.

RETIRED LIST OF THE AIR FORCE

By Transfer Order No. 16, there was transferred to the Department of the Air Force all retired commissioned officers, warrant officers and enlisted personnel on the retired list of the Army who, at the time of their retirement, were members of the Aviation Section, Signal Corps, USA, the Air Corps, USA, or the Army Air Forces.

Since establishment of the new system the Air Force is now issuing its own orders for retirements.

Former air men, now retired, have in the past been carried on the Army's retired list as "USA, Ret". Henceforth they will be designated "USAF, Ret".

Under this same order, the Secretary of the Air Force is authorized to establish such retiring boards, physical disability review boards and boards of review for the purpose of reviewing discharges or dismissals, when review is properly requested, as are necessary to exercise the functions, powers and duties thus transferred to the Department of the Air Force.

REPRESENTATIVE ACTIVITIES BY RETIRED OFFICERS

Retired officers of the Air Force will be interested in that portion of Air Force Regulation No. 30-30 of 18 June 1948, which deals with the prohibition against retired officers in certain representative activities before the Federal Government. This provision which is consistent with the restrictions applicable to retired officers of the Army, (the restrictions with reference to which are contained in War Department Circular No. 183 of 12 July 1947, and for officers of the Navy which are contained in memorandum of the Judge Advocate General of the Navy, P16-3(18)/OR, dated 16 September 1946), are set forth in paragraph 4 of Air Force Regulation No. 30-30, below quoted:

"4. **Retired Officers:**

"a. A retired officer retains his status as an officer of the United States and may not engage in any activity incompatible with such status. Retired officers, not on active duty, are prohibited by 18 U.S.C. 198 (Section 109, Criminal Code) from aiding or assisting in the prosecution of claims against the Government. 18 U.S.C. 202 (Section 112, Criminal Code), prohibits retired officers, not on active duty, from procuring or aiding to procure Government contracts for another, and 18 U.S.C. 203 (Section 113, Criminal Code) prohibits retired officers from representing another in the sale of anything to the Department of the Air Force. In addition, the current Appropriation Act provides in substance that no payment shall be made from money appropriated in that act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Department of the Air Force, any war materials or supplies.

"b. The statutory plan is, generally, to prohibit retired officers from prosecuting claims against the Government and from directly participating in Government contract activities of the type described above. It is considered that the spirit of the statutes prohibiting participation in Government contract activities extends beyond any mere bargaining which may precede the execution of a contract or modification thereof, and includes, as well, any activity by a retired officer on behalf of a prospective contractor which reasonably and directly is aimed toward forming the basis for a contract with the Government. On the other hand, it is not the intent of these statutes to preclude a retired officer from accepting employment in private industry solely because his employer is a contractor with the Government. Therefore, these statutes should not be construed as applicable to activities which are only remotely connected with claims or contractual matters as distinguished from direct participation in obtaining a contract with the Government on behalf of a prospective contractor.

"c. In any case where the propriety of representation by retired officers is questionable, decision will be obtained in the manner specified in paragraph 3e."

10,000TH MEMBERSHIP

On 8 July 1948, to Lt-Comdr. Joseph F. Mariscal, USNR, Ret., was issued the 10,000th Membership card in the Retired Officers Association, and we take this opportunity to congratulate Commander Mariscal upon his having gained this significant number in our organizational development.

A veteran of World Wars I and II, he retired by reason of physical disability in 1945. He is now employed by the Department of Water and Power, Los Angeles, California.

GRAPHIC REPORT OF PROGRESS FOR THE PERIOD 1 JULY 1947—30 JUNE 1948

Graphically reproduced on the front cover of this Bulletin are the financial and membership developments of the Association for the twelve month period beginning 1 July 1947 and ending 30 June 1948.

While these graphs indicate the highly gratifying manner in which the Association has progressed during the period covered, the Board of Directors and Staff believe and, it is felt our members will agree, that much more progress in the way of obtaining additional members must be accomplished before the Association can be considered on a fully firm foundation.

The present fiscal assets of the Association, although they have increased substantially during the period covered, should not be looked upon as a fund of adequate size to carry on the operation of an organization of the diversified activities and responsibilities such as ours.

In order to be effective there must be services, research, the preparation and presentation of briefs and statements upon problems concerning the collective and individual interests and welfare of our expanding membership. Out of this comes an ever increasing correspondence from those of our members who seek aid and advice which should be available to them with accuracy and promptness. This can be done only by the maintenance of records and information which cover the broad ramifications regarding the rights, benefits, restrictions and obligations of retired officers and veterans and their dependents and survivors. Our present staff gives unstintingly of its time, far beyond the ordinary call of duty, and it is now apparent that—even now—there is need for additional clerical help which, with the presently expanding membership, will become essential. Consequently, both costs of operations and receipts will expand and we must look upon our unobligated resources as available to cover contingencies and expansions in staff, equipment and office space to carry on the worthy work upon which we are embarked.

An appeal was addressed to all members in June requesting their assistance in gaining new members. It was then explained that National Headquarters had recently extended invitations to all known to be eligible to membership whose names and addresses could be learned and that the development of our Association into the most effective force in behalf of retired officers and their dependents requires substantially larger membership.

This Association cannot—it must not—remain static. New

JOHN J. PERSHING
GENERAL OF THE ARMIES OF THE UNITED STATES

It is our sorrowful duty to inform the members of this Association of the passing of our most illustrious member—General John J. Pershing, General of the Armies of the United States—who finally succumbed in the early dawn of 15 July 1948, from his last battle against the illness of old age.

Noted for his outstanding attainments throughout a long and distinguished military career, his name and the superb courage and devotion which it exemplified, shall ever stand as his greatest monument.

Long before he became Commander-in-Chief of the American Expeditionary Force in France during World War I, which won him his greatest fame, General Pershing was respected as a soldier who knew no fear, was fair-minded, firm in principle and shrewd in judgment, yet tempered with a gracious and courteous manner which had its source in a kind and understanding heart. He thought deeply and studied patiently all the great questions confronting our national defense.

Our President, Vice Admiral Harry G. Hamlet, USCG, Retired, attended the impressive funeral services in token of the admiration and sympathy of our entire membership to the memory of this great leader.

blood gives new life and new life in an organization such as ours means that we are on a course leading to real success and achievement.

Much hard work remains to be done. With the questions of changes in present retirement laws, revision of service pay, and other matters of equal importance surely to demand attention in the 81st Congress when it convenes next January, it is plainly to be seen that our future course of action requires most careful planning and the combined efforts of all.

In these circumstances, it is vital to the further success of the Association that its membership include the largest possible percentage of the entire retired lists, regular and reserve, contributing to the prestige of the Association by their membership, to its maintenance by their financial support, and to their own benefit by the enlarged and expanded services the Association can render to them and their dependents.

Our objective is best to serve the interests of retired personnel and their dependents in every proper manner. This is YOUR Association and the degree to which this objective can be accomplished will, in the final analysis, depend upon the extent of your cooperation. Help attain that goal by giving us the benefit of your suggestions and recommendations and by a consciousness that we need a greater number of members. Encourage an eligible friend to join—NOW!

FINANCIAL STATEMENT AS OF 31 JULY 1948

Cash in Bank (Hamilton National Bank), 31 July 1948	5,321.77
Petty Cash on Hand	25.00
Total Available Cash	5,346.77
U. S. GOVERNMENT BONDS	14,640.00
Total Available Fiscal Assets	19,986.77
Book Value of Office Equipment	2,160.23
Worth as of 31 July 1948	22,147.00

OBITUARIES

We pause in deep reverence and honor to the memory of the following of our members for whom taps have been sounded since 1 January, last. May their brave souls forever rest in peace—

Vice Admiral Adolphus Andrews, USN, Ret
Rear Admiral F. T. Arms, USN, Ret
Lieutenant Colonel Edward P. Beverly, USA Ret
Captain R. F. Blodgett, USA, Ret
Lieutenant Commander P. W. Buzby, USN, Ret
Surgeon Leland E. Cofer, USPHS, Ret
Colonel Leslie L. Connett, USA, Ret
Boatswain Osmund Cummings, USCG, Ret
Captain Wm. W. Demeritt, USCG, Ret
Lieutenant Colonel Murray B. Dilley, USA, Ret
Colonel George C. Donaldson, USA, Ret
Captain James D. Edgar, USA, Ret
Lieutenant Gosch L. Ehlers, USCG, Ret
Machinist Ralph R. Ellis, USCG, Ret
Warrant Officer H. F. England, USA, Ret
Lieutenant Commander M. J. Foster, USN, Ret
Major Clifford P. Futcher, USA, Ret
Captain James J. Graham, USN, Ret
Lieutenant Commander E. Guthrie, USN, Ret
Colonel Harry L. Hawthorne, USA, Ret
Lieutenant Colonel George L. Hollett, USMC, Ret
Colonel Leland C. Hurd, USA, Ret
Captain James B. Hutchinson, USA, Ret
Commander John J. Hutson, USCG, Ret
Captain Victor S. Jackson, USN, Ret
Lieutenant J. V. Jacobsen, USN, Ret
Lieutenant Otto Johnson, USN, Ret
Lieutenant Commander M. Joyce, USN, Ret
Colonel Frank J. Keelty, USA, Ret
Captain John F. Kennedy, USN, Ret
Commander John M. D. Knowles, USN, Ret
Brigadier General Rufus H. Lane, USMC, Ret
Major General William C. Lee, USA, Ret
Captain Marson W. Mangold, USN, Ret
2nd Lieutenant Mary T. Manzer, ANC, Ret
Captain C. R. Mayberry, USA, Ret
Lieutenant Colonel Benj. B. McCroskey, USA, Ret
Lieutenant Commander Archie J. McDaniel, USN, Ret
Colonel John C. Montgomery, USA, Ret
Colonel George H. Morgan, USA, Ret
Boatswain Joseph L. Nutter, USCG, Ret
Colonel Roger W. Peard, USMC, Ret
Lieutenant Eldon V. Peninger, USN, Ret
General of the Armies John J. Pershing
Captain Joseph R. Phelps, USN, Ret
Colonel Albert E. Phillips, USA, Ret
Colonel Arthur Poillon, USA, Ret t
Lieutenant Commander J. H. Quinan, USCG, Ret
Major General Charles D. Rhodes, USA, Ret
Lieutenant Colonel Calvin S. Richards, USA, Ret
Colonel W. H. Richardson, USA Ret
Lieutenant F. H. Richwien, USN, Ret
Major Hugh M. Rimmer, USA, Ret
Gunner F. E. Robbins, USN, Ret
Chief Warrant Officer Milton R. Scott, USMC, Ret
Lieutenant J. A. Sedgwick, USN, Ret
Lieutenant James Shannon, USN, Ret
Captain Frank Slife, USA, Rett
Colonel John A. Smith, USA, Ret
Commander J. A. Starr, USCG, Ret
Major B. L. Teneycke, USA, Ret
Major S. L. Thorpe, USA, Ret
Lieutenant Commander Arvid E. Wikander, USCG, Ret
Electrician Richard H. Winemiller, USCG, Ret
Lieutenant H. J. Wood, USCG, Ret
Boatswain Ennis O. Worsham, USN, Ret
Chief Pay Clerk Andrew E. Zanetti, USCG, Ret

To RETIRED OFFICERS ASSOCIATION,
1600 Twentieth St., N. W., Washington 9, D. C.

Date .....

Gentlemen:—

You may enroll me as a member of the Retired Officers Association. Inclosed is check for $5.00.

Entrance fee	$1.00	*Fifty cents of which is for subscription to Association Bulletin.*
Annual dues	4.00	
	$5.00	

Name .....
(Please Print)

Rank and Service .....

Mailing Address .....

City ..... Zone ..... State .....

FROM OUR MEMBERS

Lt-Comdr. A.J.C., USNR, Ret.—I think the Association is doing a fine job, and I'm proud to be a member.

Ship's Clerk G.H.A., USCG, Ret.—After visting quite a number of retired officers in New York, Philadelphia, Washington and South Jersey, I was pleased to learn what a splendid job your organization is doing. Therefore, I wish to take this opportunity to become an active paying and supporting member.

Col. F.C.P., USA, Ret.—Here is my check for $4.00, being a life member, I am only too happy to pay annual dues. I enjoy reading the bulletins.

Capt. H.C.R., USN, Ret.—I have read your latest bulletins with great interest. With sincere good wishes for its continued success.

Maj. L.M.D., USA, Ret.—I am a life member, but accept my check for annual dues. Keep up your good work.

Ens. A.A.B., USNR, Ret.—Enclosed is my application and remittance for membership. I have been thinking of joining some organization since my retirement, and am very happy that you have seen fit to extend me this privilege. The need of such an association is essential, and I am sure yours is the one to fit that need as well as being one that I will be most happy and willing to support.

Lt-Col. V.E.M., USA, Ret.—I enclose my check for annual dues and wish to go on a dues-paying status as a life member with the Association. The work you are doing as evidenced by the bulletins fills a long felt need and fully deserves the support of every retired officer.

Lieut. N.D., USN, Ret.—I fully agree with what you say in your letters concerning life members, and will gladly pay yearly dues after this.

Lt-Col. E.D.B., USA, Ret.—I sincerely hope that most life members will respond to your request as you're doing fine work for all of us. Please accept my thanks for all you're doing and will take every opportunity to get additional members.

From an officer on active duty—I have always been an admirer of your organization and will welcome an invitation to join at such time as I do retire. With my best wishes for your continued success.

Col. G.A.S., USA, Ret.—Due to your increased activity, the purposeful work you are accomplishing, for which you deserve the support you recommend. Therefore, I gladly submit my check for annual dues.

Lt-Col. C.J.L., USMC, Ret.—Thanks for reminding me. I wouldn't drop this for anything. My dues are enclosed and I will do all I can to get new members. Congratulations for your accomplishments of the past and with every good wish continued future success.

Comdr. D.H., USN, Ret.—Just a word to let you know that I am heartily enthusiastic about the work you are doing. The Bulletin is a mine of interesting information to me and my contemporaries in this area. You made a magnificent try on S. 657 and here's hoping for better luck next time. I have been instrumental in getting one or two new members so far and will keep on trying to encourage others to join.

TO OUR MEMBERS

Despite the intense summertime heat so characteristic of Washington, there was excellent and inspiring attendance at the meeting of our Board of Directors held at the Army and Navy Club on Thursday, 15 July 1948.

After an enjoyable "Dutch treat" cold-plate luncheon, the business at hand was submitted in proper order, discussed and disposed of appropriately. Minutes of the previous meeting and reports of the various committees were read and approved.

Favorable comment was expressed regarding the gratifying membership expansion during the past several months. The statement was made, however, that additional members must be obtained in order to maintain the Association on a sound and solvent basis.

The question was again raised concerning the establishment of an appropriate type of membership for those, otherwise eligible, while on the active lists. After discussion, it was decided to refer this question for study and report by the Membership Committee.

No concrete plans have yet been completed by the Scholarship Committee and the Decentralization Committee, but it was announced that these committees would have their reports ready for submission at the next Board meeting in October.

Nominations were then opened to fill vacancies on the Board of Directors; one from the Air Corps and one from the Marine Corps. Biographical sketches of those selected are contained elsewhere in this edition.

Referred to the Membership Committee was a recommendation that the Board of Directors include in its membership representation from among the female members of the Association.

Motion was made and carried that the Finance Committee study and report upon the advisability of amending the By-laws to provide for separation of the duties of Executive Vice President and Treasurer.

It was decided that a special committee be appointed by the President to study the regulations relating to burials in National Cemeteries, with a view to recommending that in certain cases opportunity be provided for reservations for interment, so that those closely related in the same family might be laid to rest in the same plot. The President forthwith appointed the committee.

A motion was adopted to refer to the Finance Committee for study and report the question of the Association's assets with a view to setting up planned uses by earmarking certain portions of these funds for specific future projects.

A prominent guest speaker will be invited to address the Board at the luncheon preceding each of its future regular meetings.

We are striving to improve the scope and substance of our Bulletin. Suggestions from our members will be appreciated.

Members are urged to keep us advised of any change of address, since this is our only means of keeping them advised of our activities.

RETIRED OFFICERS ASSOCIATION BULLETIN
1600 Twentieth Street, N.W.
Washington 9, D. C.
Entered as second class matter, May 2, 1945, at the Post Office at Washington, D. C., under the Act of March 3, 1879.
RETURN POSTAGE GUARANTEED